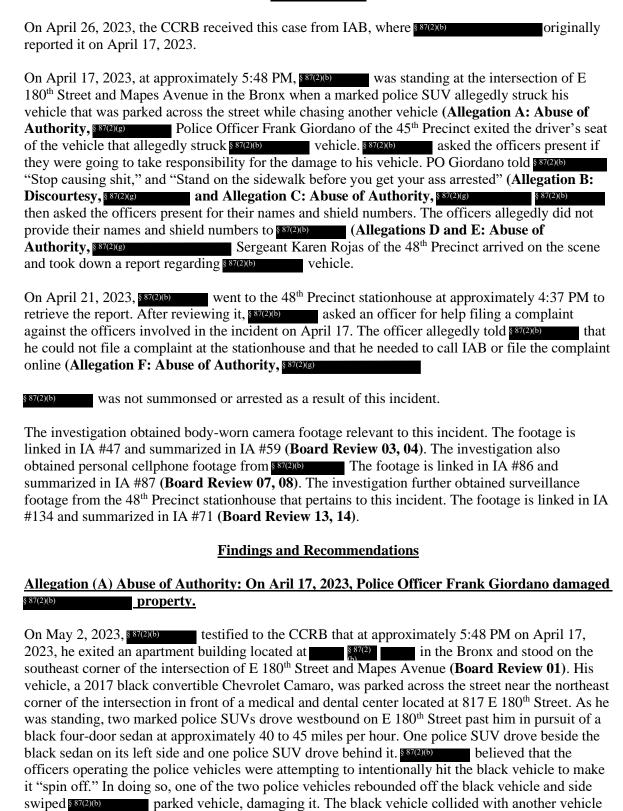
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:		Force	V	Discourt.	U.S.
Colin Lodewick		Squad #08	202303619	☑	Abuse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:	•		18 N	Ao. S	OL	Precinct:
Monday, 04/17/2023 5:48 PM, Friday, 04/21/2023 4:37 PM		Opposite of 800 East 180th Street 48th Precinct stationhouse			10/	17/202	24	48
Date/Time CV Reported		CV Reported At:	How CV Reported	:	Date/Tim	e Rec	eived at CC	RB
Mon, 04/17/2023 7:48 PM		IAB	Phone		Tue, 04/2	5/202	3 1:19 PM	
Complainant/Victim	Туре	Home Addr	ess					
Witness(es)		Home Addr	ess					_
Subject Officer(s)	Shield	TaxID	Command					
1. Officers	Silicita	THAID	Communa					
2. PO Frank Giordano	27714	969092	045 PCT					
3. an officer	2//14	30303 2	043101					
Witness Officer(s)	Shield N	o Tax No	Cmd Name					
1. SGT Karen Rojas	04274	955407	048 PCT					
2. PO Ivan Nunez	25299	975055	045 PCT					
3. PO Raul Rodriguez	20448	973728	040 PCT					
4. PO Paola Ruizholguin	25903	971213	040 PCT					
5. PO Ercilio Luna	06041	949233	048 PCT					
6. PO Amin Fontana	21446	941773	048 PCT					
7. LT Brian Klarman	00000	946506	048 PCT					
8. PO Alex Claudio	22252	945593	048 PCT					_
Officer(s)	Allegatio	on			Inv	estiga	ator Recon	nmendation
A . PO Frank Giordano	Abuse: C damaged	on April 17, 2023, Polic § 87(2)(b) pro	ce Officer Frank Gior perty.	rdan	o			
B . PO Frank Giordano	Discourte	Discourtesy: On April 17, 2023, Police Officer Frank Giordano spoke discourteously to						
C . PO Frank Giordano		Abuse: On April 17, 2023, Police Officer Frank Giordano threatened to arrest §87(2)(b)			О			
D . Officers		Abuse: On April 17, 2023, officers refused to provide their names to \$87(2)(b)			eir			
E . Officers		on April 17, 2023, office mbers to [87(2)(0)	ers refused to provid	e the	eir			
F. an officer	Abuse: C	on April 21, 2023, an or complaint re	fficer did not process garding an officer.					

Case Summary



and stopped near the southwest corner of the intersection of E 180th Street and Mapes Avenue in the

oncoming traffic lane.

On June 12, 2023, PO Giordano testified to the CCRB that on April 17, 2023, at approximately 5:00 PM, he was taking lunch in his police vehicle (#4933) with his partner Police Officer Ivan Nunez near the intersection of E 180th Street and Mapes Avenue when an individual approached them to state that someone had just gotten into a car accident nearby (**Board Review 02**). PO Giordano and PO Nunez looked up and saw that someone had crashed into a parked car. PO Giordano pulled out of the spot where he was parked and drove approximately half a block to the scene, where he parked in a driving lane and partially blocked traffic. PO Giordano denied hitting vehicle while driving to the scene. PO Giordano denied that any officer hit vehicle or that any officer was involved in a vehicle chase during the incident.

PO Giordano's BWC footage captures a limited view of the beginning of the incident (**Board Review 03**). The footage begins with PO Giordano sitting in the driver's seat of his parked police vehicle. PO Giordano begins to drive at the 00m39s timestamp. PO Giordano parks at the 00m51s timestamp and exits the vehicle at the southwest corner of the intersection of E 180th Street and Mapes Avenue in the Bronx to approach a driver who collided with a parked vehicle. The footage does not show any officer engaging in a vehicle chase.

A Google Maps search for the northeast corner of the intersection of E 180th Street and Mapes Avenue in the Bronx shows the same apartment building visible through the front windshield of PO Giordano's police vehicle at the beginning of his BWC footage (Board Review 05, 06).

specifically identifies PO Giordano's police vehicle (#4933) as the one that struck his vehicle in a personal cellphone video that he recorded on the scene (**Board Review 07**).

The investigation was not able to identify or obtain any documentation for a police vehicle having crashed into another vehicle during the incident.

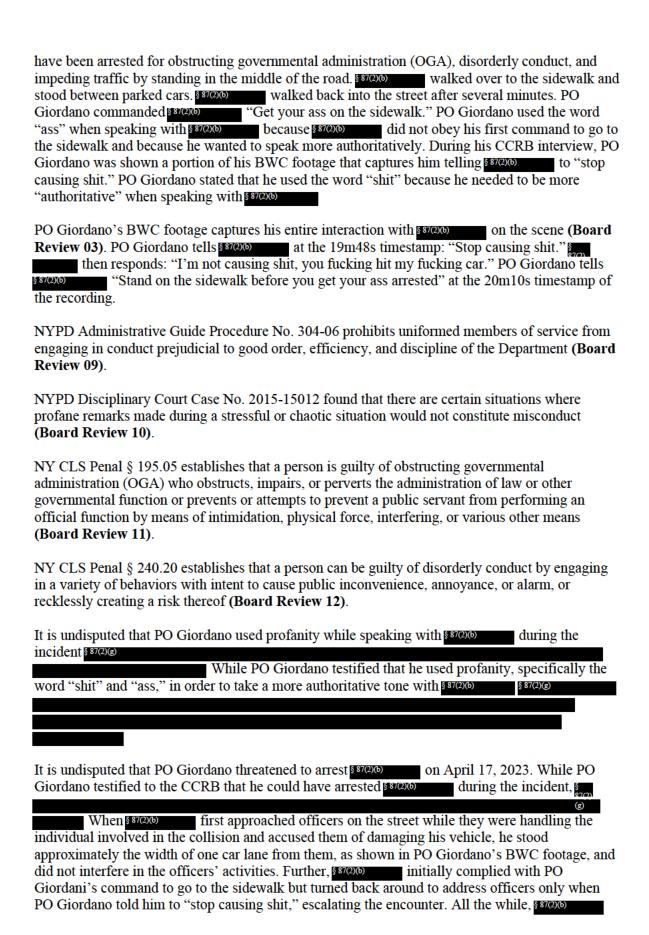
§ 87(2)(b)	and PO Giordano's testimon	ies are not consistent regarding PO Giordan	o engaging in a
high-speed	chase and damaging § 87(2)(6)	parked vehicle with his police vehicle	. As PO
Giordano's	BWC footage establishes that	t at the beginning of the incident he was par	ked at the
northeast co	rner of E 180th Street and Ma	pes Avenue in the Bronx, where \$87(2)(b)	vehicle was
also parked,	and that he only drove for ap	oproximately 12 seconds before coming to a	full stop
approximate	ely one block away to address	s an individual who crashed a car, 1870@	

Allegation (B) Discourtesy: On April 17, 2023, Police Officer Frank Giordano spoke discourteously to \$87(2)(b)

Allegation (C) Abuse of Authority: On April 17, 2023, Police Officer Frank Giordano threatened to arrest \$87(2)(b)

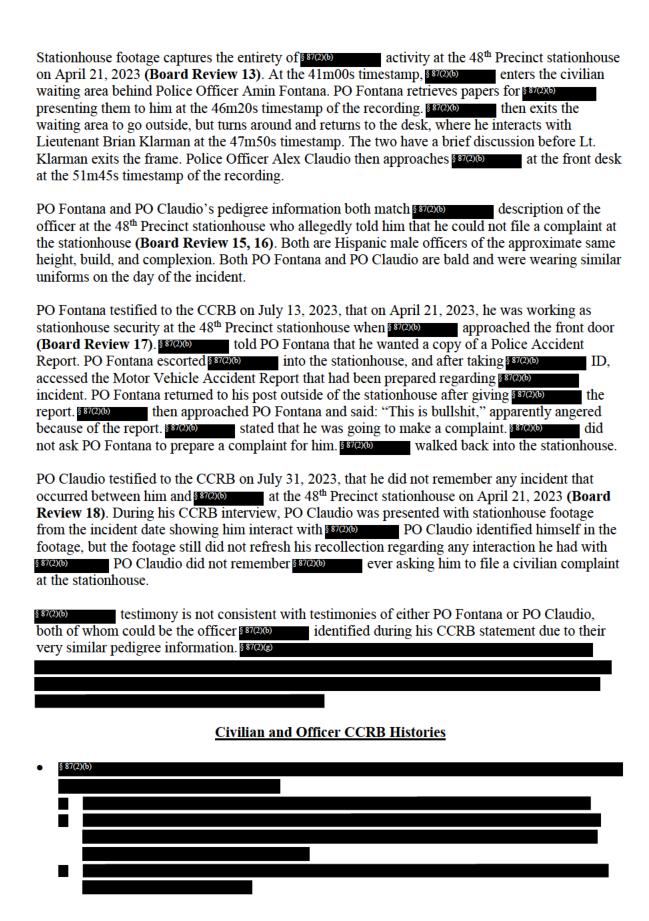
It is undisputed that PO Giordano used profanity toward during the incident and threatened to arrest him.

PO Giordano testified to the CCRB that while he was on the scene responding to the individual who crashed his vehicle, walked into the middle of the street and stated: "You hit my car" (Board Review 02). PO Giordano told solve to get out of the street or else he could be arrested. PO Giordano determined that solve by trying to attract the officers' attention, was interfering with the ongoing investigation into the man who crashed the vehicle.



did not threaten officers, make unreasonable noise, meaningfully obstruct traffic, or exhibit any other behavior that might constitute disorderly conduct. § 87(2)(9) Allegation (D) Abuse of Authority: On April 17, 2023, officers refused to provide their names Allegation (E) Abuse of Authority: On April 17, 2023, officers refused to provide their shield numbers to § 87(2)(6) testified to the CCRB that after he first engaged with PO Giordano, he attempted to show the officers that there was damage to the police vehicle that hit his vehicle (Board Review 01). [87(2)(6) then asked all the officers present for their names and shield numbers multiple times. § 87(2)(6) did not direct his request at any specific officer, but rather asked the group. PO Giordano testified to the CCRB that he did not hear \$87(2)(0) ask for any officer's name or shield number during the incident (Board Review 02). As PO Giordano was the primary officer to engage with \$87(2)(6) the investigation deemed it unnecessary to interview additional officers regarding this portion of the complaint. relevant personal cellphone footage captures him asking all the officers on the scene for their names and shield numbers at the 00m14s timestamp of the recording while he stands across the street from the incident (Board Review 07). No officer is heard responding to During the video, multiple vehicles drive between secure and officers. PO Giordano's BWC footage captures the same portion of the incident that \$87(2)(6) cellphone footage captures (Board Review 03). At the 20m38s timestamp of the recording. is visible standing across the street when he asks for officers' names and shield numbers. A vehicle drives between \$87(2)(b) and the officers on the scene when \$87(2)(b) makes his request. PO Giordano is speaking with EMS personnel while \$87(2)(b) makes his request. No officer responds to \$87(2)(6) request. It is undisputed that \$87000 stated during the incident that he wanted officers' names and shield numbers. While PO Giordano's BWC footage, along with BWC footage of other officers present, captures the moment \$87(2)(6) asked for names and shield numbers, the investigation was unable to determine by a preponderance of evidence that officers heard the request given the distance \$57000 stood from officers, the traffic conditions at the time of the incident, and the fact that they were engaged in an ongoing investigation, and then refused to provide their names and shield numbers. § 87(2)(g) Allegation (F) Abuse of Authority: On April 21, 2023, an officer did not process [87(2)0) complaint regarding an officer. testified to the CCRB that he went to the 48th Precinct stationhouse on April 21, 2023, at approximately 5:30 PM to retrieve a report regarding his damaged vehicle (Board Review 01). spoke with an officer whom he described as a Hispanic or Dominican male wearing a regular police uniform, who may have been a sergeant. Solution told the officer that he wished to file a complaint against Sgt. Rojas for taking down his report incorrectly. The officer gave the number for the Internal Affairs Bureau and informed him that he could not file a complaint at the stationhouse.

CCRB Case # 202303619



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○ § 87(2)(b)			
		vice for three years and has been legation that was not substantiate	
	Mediation, C	Civil, and Criminal Histories	
As of June Claim bein	aint was not suitable for med 5, 2023, the New York City of filed in regard to this incide (18) (18) (18) (18) (18) (18) (18) (18)	Office of the Comptroller has no	record of a Notice of
		RPBP History	
This compl	laint did not contain any alleg	ations of Racial Profiling/Bias-B	Based Policing.
Squad: 8			
investigator:	Colin Lodewick Signature	Inv. Colin Lodewick Print Title & Name	09/11/2023 Date
Squad Leader:	Ethan De Angelo Signature	IM Ethan De Angelo Print Title & Name	09/11/2023 Date
Reviewer:			

Print Title & Name

Signature

Date